IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1394 of 2007

KALWANT SINGH
V/S
ABDUL HAQ & ORS.

Mr. ASHOK KUMAR JAIN, for the appellant / petitioner

Date of Order : 20.7.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

Perused the impugned order.

The learned trial court has relied upon Ex.A-1 which was the copy officially given to the returned candidate showing that the counting was done, and also showing the number of votes secured by the respective candidates; while case of the present petitioner, in the election petition was, that as a matter of fact no counting did take place, while from Ex.A-1 it is clear that counting did take place. This has been believed by the learned trial court, which is a pure finding of fact.

It may be noticed here that the petitioner did not produce the Returning Officer, nor did he try to get the original record summoned from the concerned department, to show, that Ex.A-1 is not correct.

In that view of the matter, I do not find any ground to interfere with the impugned order in my writ jurisdiction.

The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

/sushil/